

STATE ELECTION COMMISSION

S.C.O. No. 16-17, SECTOR 20-D, CHANDIGARH

ORDER

11th December, 2006

No. SEC/4 E -III/2006/9458.—Whereas Shri S.K. Verma, Advocate, Counsel of Sh. Bhupinder Singh, Ex-Sarpanch S/o Sh. Dariya Singh, resident of Village Hoshiarpura, Tehsil Safidon, District Jind *vide* his legal notice dated 3rd March, 2006 had complained that Shri Ajmer Singh, Sarpanch S/o Sh. Bhalle Ram, resident of Village Hoshiarpura, Tehsil Safidon, District Jind was elected as Sarpanch of Gram Panchayat, Hoshiarpura in General Panchayat Elections held in April, 2005 after spending huge amount to impress the voters by providing liquor as well as money to the voters and has not furnished the information regarding election expenditure incurred in the election well in time. The request was thus made to take action against Sh. Ajmer Singh, Sarpanch in view of the provisions contained in Para 11 (A&B) of the Haryana Panchayati Raj Election Expenditure (Maintenance & Submission of Accounts) Order, 1996.

And, whereas, the State Election Commission, *vide* its letter No. SEC/ 4E-III/2006/3786 dated 18th May, 2006 sent the copy of legal notice to the Deputy Commissioner-cum-District Election Officer (Panchayat), Jind to intimate the factual position of the case alongwith his comments. The Deputy Commissioner-cum-District Election Officer (Panchayat), Jind *vide* his D.O. letter No. 4774 dated 14th August, 2006 informed this Commission that the inquiry in the complaint was conducted by the then Block Development & Panchayat Officer (BDPO), Safidon and the BDPO, Safidon in his report has pointed out that Shri Ajmer Singh, Sarpanch has not submitted the expenditure account and affidavit in the Block Office. In view of this, it was recommended that the action against Shri Ajmer Singh, Sarpanch may be taken under Haryana Panchayati Raj Election Expenditure (Maintenance & Submission of Accounts), Order, 1996, Para 6 and Para 11 (A&B) of the Haryana Panchayati Raj Election Expenditure (Maintenance & Submission of Accounts) Order, 1996 envisage as under:-

“6 (a): Each contesting candidate shall also maintain account of election expenditure in the proforma as per Annexure II to this Order for showing the total expenditure on various items listed therein and shall, within thirty days from the date of declaration of the result of the election, lodge with the Deputy Commissioner-cum-District Election Officer (Panchayat) or any other officer as specified by the State Election Commission, in duplicate an account of election expenses which shall be a true copy of the account maintained by him or by his election agent in the proforma at Annexure II. The Deputy Commissioner-cum-District Election Officer (Panchayat) shall retain one copy of the account of election expenses and the second copy shall be submitted to the State Election Commission.”

11. Disqualification for failure to lodge account of election expenses.

If the State Election Commission is satisfied that a person—

- (a) has failed to lodge an account of election expenses within the time and in the manner required under this order; and**
- (b) has no good reason or justification for the failure, the State Election Commission shall, by order published in the official Gazette, declare him to be disqualified and may such person shall be disqualified for a period of three years from the date of the order.”**

And, whereas, Shri Bhupinder Singh, Ex-Sarpanch filed a CWP No. 12431/2006 in the Hon'ble Punjab & Haryana High Court. In the said CWP, the Hon'ble Court on 10th August, 2006 passed the following orders:—

“It is apparent from the records that the Petitioner has sent a legal notice to the State Election Commissioner, Haryana on 3rd May, 2006. As per averments made, that legal notice has not been disposed of by the officer, referred to above.

This Writ Petition is disposed with a direction to the State Election Commissioner, Haryana at Chandigarh, to take note and decide legal notice (Annexure P/5), as per law, expeditiously.

10th August, 2006

Sd/ JASBIR SINGH, JUDGE

Sd/ PRITAM PAL, JUDGE”

And, whereas the State Election Commission vide its letter No. SEC/E-III/2006/6930, dated 18th September, 2006 issued a Show Cause Notice to Sh. Ajmer Singh, Sarpanch to clarify as to why action under Para 11 of the Haryana Panchayati Raj Election Expenditure (Maintenance & Submission of Accounts), Order, 1996 may not be taken against him for non-submission of election expenditure record. Shri Ajmer Singh, Sarpanch was also given an opportunity of personal hearing on 3rd October, 2006. Shri Bhupinder Singh, Ex-Sarpanch (Complainant) and BDPO, Safidon were also called for personal hearing on 3rd October, 2006. During the personal hearing, Shri Ajmer Singh, Sarpanch made a statement that he had deposited the statement of election expenditure with Social Education and Panchayat Officer, Safidon on 06.04.2005 and his name appeared in the list of elected Sarpanches of Block Safidon who had deposited election expenditure which was displayed on the notice board by BDPO Safidon. In view of the Statement of Sh. Ajmer Singh, Sarpanch, the Commission vide its letter No. SEC/4E-III/2006/7340, dated 3rd October, 2006, requested the Deputy Commissioner-cum-District Election Officer (Panchayat), Jind that an inquiry in the matter may be got conducted by the Additional Deputy Commissioner, Jind particularly on the point whether Shri Ajmer Singh, Sarpanch had submitted his election expenditure statement during the prescribed period as required in the Haryana Panchayati Raj Election Expenditure (Maintenance & Submission of Accounts) Order, 1996.

And whereas the Additional Deputy Commissioner, Jind in his report submitted to the Deputy Commissioner, Jind vide his memo No. 3928/Steno dated 20th October, 2006, has concluded that at the time of Panchayat General Elections, 2005, Sh. Satyawar, Gram Sachiv who was looking after the work of SEPO Assistant has denied that Sh. Ajmer Singh, Sarpanch had submitted any election expenditure record. In his report, the Additional Deputy Commissioner, Jind has also stated that no receipt regarding submission of election expenditure statement by Shri Ajmer Singh, Sarpanch to the SEPO, Safidon was produced by him during the inquiry. The Additional Deputy Commissioner has further stated that statement of Sarpanch is not based on facts and as per the record placed on file and the statements, it is not proved by him that Shri Ajmer Singh, Sarpanch has submitted an election expenditure statement with the SEPO, Safidon on 6th April, 2005. The Deputy Commissioner-cum-District Election Officer (Panchayat), Jind while forwarding the Inquiry Report of the Additional Deputy Commissioner, Jind vide letter No. 6033/Panchayat dated 23rd October, 2006, has recorded his comments as below:-

“I have gone through the inquiry report. I agree with this. May be sent to the State Election Commission for further action.”

And, whereas Shri Ajmer Singh, Sarpanch vide his representation dated 25th October, 2006 requested this Commission to give him an opportunity of personal hearing in view of the facts mentioned in his representation. The Commission, vide its letter NO. SEC/4E-III/2006/8191, dated 30th October, 2006 directed him to appear before the State Election Commissioner, Haryana for personal hearing on 9th November, 2006 at 11.00 AM.

And whereas the State Election Commission vide its letter No. SEC/4E-III/2006/8248, dated 31st October, 2006 sought parawise report/comments from the Deputy Commissioner-cum-District Election Officer (Panchayat), Jind on the representation dated 30.10.2006 of Sh. Ajmer Singh, Sarpanch. The Deputy Commissioner-cum-District Election Officer (Panchayat), Jind vide his memo No. 6289/Panchayat dated 7th November, 2006 has submitted the report wherein it has been stated that the points raised by Shri Ajmer Singh, Sarpanch are not based on facts.

In view of the report of the Additional Deputy Commissioner, Jind and the Deputy Commissioner-cum-

District Election Officer (Panchayat), Jind the averments made by Shri Ajmer Singh, Sarpanch are totally false and not based on facts.

I have also heard Sh. Ajmer Singh, Sarpanch personally on 9th November, 2006. During personal hearing Shri Ajmer Singh reiterated his stand that he has submitted election expenditure report in time in the office of BDPO but he had not submitted the affidavit or election expenditure statement in the office of Deputy Commissioner, Jind. When he was confronted with the inquiry report of Additional Deputy Commissioner, Jind he once again repeated his stand. I have thoroughly examined the documents produced by Shri Ajmer Singh during the personal hearing and found that the averments made by him are totally false and did not prove that he had submitted the election expenditure statement.

Therefore, in the view of facts explained in the foregoing paragraphs, I agree with the report of Additional Deputy Commissioner, Jind, recommendation of the Deputy Commissioner-cum-District Election Officer (Panchayat), Jind and also examined the record submitted by the office of Deputy Commissioner-cum-District Election Officer (Panchayat), Jind and am satisfied that Shri Ajmer Singh, Sarpanch, Gram Panchayat, Hoshiarpura has incurred disqualification under the provisions of Para 11 of the Haryana Panchayati Raj Election Expenditure (Maintenance and Submission of Accounts) Order, 1996. Therefore I, Chander Singh, State Election Commissioner, Haryana hereby declare Sh. Ajmer Singh, Sarpanch s/o Sh. Bhalle Ram, resident of Village Hoshiarpura, Tehsil Safidon, District Jind disqualified for a period of three years from the date of this order.

I order accordingly. Orders be communicated.

Chandigarh :

The 9th December, 2006

CHANDER SINGH,

State Election Commissioner, Haryana.

DIRECTORATE OF CONSOLIDATION OF HOLDINGS

The 8th December, 2006

Endst No. EA 4/4309.—With the object of Consolidation of Holdings in the under mentioned estate for the purpose of better cultivation of lands therein the Director, Consolidation of Holdings, Haryana in exercise of powers conferred by Sub-section (1) of the Section 14 of the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948 as delegated to him by the Punjab Government Notification No. 3/35-D-50/3155, dated 22nd July, 1950 hereby declares the intention of the State Government to take up a scheme for consolidation of the left out area relating to alluvion and diluvion of the following estate :—

Sr. No.	Name of Village	H. No.	Area in Acres	District
1.	Sanoli Kalan	30	699	Panipat

Endst. No. EA 4/4312.—With the object of Consolidation of Holdings in the under mentioned estate for the purpose of better cultivation of lands therein, the Director, Consolidation of Holdings, Haryana in exercise of the powers conferred by Sub-section (1) of the Section 14 of the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948 as delegated to him/her by the Punjab Government Notification No. 3/35-D-50/3155, dated 22nd July, 1950 hereby declares the intention of the State Government to take up a scheme for consolidation of Holdings of the following estate :—

Sr. No.	Name of Village	H.B. No.	Area in Acres	Name of District
1.	Pahari	36	4911	Bhiwani

Endst. No. EA 4/4316.—With the object of Consolidation of Holdings in the under mentioned estate for the purpose of better cultivation of lands therein the Director, Consolidation of Holdings, Haryana in exercise of the powers conferred by Sub-section (1) of the Section 14 of the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948 as delegated to him/her by the Punjab Government, Notification No. 3/35-D-50/3155, dated 22nd July, 1950 hereby declare the intention of the State Government to take up a scheme for consolidation of the Holdings following estate :—

Sr. No.	Name of Village	H. B. No.	Area in Acres	Name of District
1.	Khol Fatehgarh	25	209	Yamuna Nagar

(Sd.)...

Director, Consolidation of Holdings,
Haryana, Chandigarh.

लोक निर्माण विभाग

(भवन एवं सड़कें)

दिनांक 30 नवम्बर, 2006

क्रमांक 28RA/199/IV/12.— हरियाणा के राज्यपाल को यह प्रतीत होता है कि नीचे वर्णित भूमि, सरकार द्वारा, सरकारी खर्च पर, सरकारी प्रयोजन अर्थात् रोहतक-झज्जर-रिवाड़ी नई रेलवे लाईन के निर्माण हेतु तुरन्त अपेक्षित है, इसके द्वारा यह अधिसूचित किया जाता है कि नीचे वर्णित भूमि उपर्युक्त प्रयोजन के लिए अपेक्षित है।

यह अधिसूचना भूमि अभिग्रहण अधिनियम, 1894 की धारा 17 की उप धारा (2) के खण्ड (सी) के साथ पढ़ते हुए धारा 4 के उपबन्धों के अधीन उन सभी व्यक्तियों की जानकारी के लिये प्रकाशित की जाती है, जिसका इससे सम्बन्ध हो।

पूर्वोक्त धारा द्वारा प्रदान की गई शक्तियों का प्रयोग करते हुये हरियाणा के राज्यपाल, इस समय, इस कार्य में लगे अधिकारियों को अपने सेवकों तथा कर्मचारों सहित, परिक्षेत्र में किसी भूमि पर प्रवेश तथा सर्वेक्षण करने तथा उस धारा द्वारा अपेक्षित या अनुज्ञात सभी अन्य कार्य करने के लिये इसके द्वारा प्राधिकृत करते हैं।

हरियाणा के राज्यपाल को सन्तुष्टि हो गई है कि पूर्वोक्त जिसके लिए भूमि अपेक्षित है उक्त अधिनियम की धारा 17 की उप धारा (2) के खण्ड (सी) के उपबन्ध इस पर लागू होते हैं। इसलिए उक्त अधिनियम की धारा 17 की उपधारा (4) के अधीन इसके द्वारा निर्देश दिया जाता है कि उक्त अधिनियम की धारा 5-क के उपबन्ध इस अर्जन के सम्बन्ध में लागू नहीं होंगे।

भूमि के नक्शे का निरीक्षण, जिला राजस्व अधिकारी एवं भूमि अभिग्रहण कलेक्टर, झज्जर या सहायक अधिशासी अभियन्ता, रोहतक के कार्यालय में किया जा सकता है।

विशिष्ट

जिला का नाम	तहसील का नाम	गांव का नाम	हदबस्त नं०	क्षेत्रफल एकड़	मुरब्बा नं० / किला नं० व दिशा/खसरा नं०
1	2	3	4	5	6
झज्जर	झज्जर	बिरधाना	108	197-13	1 6/2, 7/1, 15/2, 14/2, 16/2, 25/2 11 10/1, 11/1, 20/2, 21/2 12 5/2, 6/1/2, 6/2/2, 15/2, 16/1, 25/2 15 1/1/2, 10/2, 11/2, 19/2, 20/2, 21/2, 22/1 35 1/2, 2/1, 9/2, 10/1, 12/2, 19/2, 22/2 40 2/2, 3/1, 8/2, 9/1, 12/2, 13/1, 18/2, 19/1, 23/2 60 3/2, 8/2, 13/2, 14/1/1, 17/2, 18/1, 23/2, 24/1 67 4/2, 7/1/2, 7/2/2, 14/1/2, 14/2/2, 17/2, 24/2, 25/1 86 4/2, 5/1, 6/2, 7/1, 15/2, 16/2, 25/2 91 5/2, 6/1, 15/1, 16/1 92 1/1, 10/2, 11/1, 20/1/2, 20/2/2, 21/1/2, 21/2/1 108 1/2, 10/2, 9/2, 11/2, 12/1, 19/1/2, 19/2/2, 20/1, 21/1/2, 21/2/2, 22/1/1, 22/2/1 113 1/2, 2/1, 9/2, 10/1, 11/2, 12/1/1, 12/2/1, 19/2/2, 20/1, 21/2, 22/1 128 1/2 रास्ता, नाला और सड़क रास्ता मिन 624, मिन 643, मिन 646, मिन 641, मिन 645, मिन 637 सड़क मिन 159 नाला मिन 239, मिन 254, मिन 253 उपरोक्त किला नं०/खसरा नं० का कुछ भाग अधिसूचित कराया गया है। अतः सभी किला नम्बर/खसरा नं० का मिन समझा जाए। रेलवे लाईन सामान्यतः उत्तर से दक्षिण दिशा में जानी है, जैसाकि नक्शे में दिखाया गया है।

(हस्ता०)....

उप मुख्य अभियन्ता/निर्माण,
उ० रे०, तिलक ब्रिज, नई दिल्ली।

PUBLIC WORKS DEPARTMENT
(BUILDING AND ROADS BRANCH)

The 30th November, 2006

No. 28-RA/199/IV/12.—Whereas, it appears to the Governor of Haryana that the land described below is needed by the Government, at public expense, for a public purpose, namely, for construction of Rohtak-Jhajjar-Rewari, New Railway Line is hereby notified that the land described below is needed for above purpose.

This notification is made under the provision of Section 4 read with clause (c) of Sub-section (2) of Section 17 of the Land Acquisition Act, 1894 for the information of all to whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor of Haryana hereby authorizes the officers with their servants and workmen, for the time being engaged in the undertaking to enter upon and survey any land in the locality and to do all other acts required or permitted by that section.

Further, whereas, the Governor of Haryana is satisfied that purpose for which the land is required is of an urgent importance within the meaning of clause (c) of Sub-section (2) of Section 17 of said Act and whereas the Governor of Haryana is of the opinion that the provision of Sub-section (4) of Section 17 of the said Act, that the provision of Section 5-A of the said Act shall not apply in regard to this acquisition.

The plan of the land may be inspected in the office of District Revenue Officer-cum-Land Acquisition Collector, Jhajjar or Assistant Executive Engineer/Const. Northern Railway, Rohtak.

Specification

Name of District	Name of Tehsil	Name of Village	Hadbast No.	Area K.—M.	Murabba No./Killa No. & Khasra No.
1	2	3	4	5	6
Jhajjar	Jhajjar	Birdhana (Contd.)	108	197—13	1 6/2, 7/1, 15/2, 14/2, 16/2, 25/2, 11 10/1, 11/1, 20/2, 21/2 12 5/2, 6/1/2, 6/2/2, 15/2, 16/1, 25/2 15 1/1/2, 10/2, 11/2, 19/2, 20/2, 21/2, 22/1 35 1/2, 2/1, 9/2, 10/1, 12/2, 19/2, 22/2 40 2/2, 3/1, 8/2, 9/1, 12/2, 13/1, 18/2, 19/1, 23/2 60 3/2, 8/2, 13/2, 14/1/1, 17/2, 18/1, 23/2, 24/1 67 4/2, 7/1/2, 7/2/2, 14/1/2, 14/2/2, 17/2, 24/2, 25/1 86 4/2, 5/1, 6/2, 7/1, 15/2, 16/2, 25/2 91 5/2, 6/1, 15/1, 16/1 92 1/1, 10/2, 11/1, 20/1/2, 20/2/2, 21/1/2, 21/2/1

1	2	3	4	5	6
Jhajjar	Jhajjar	Birdhana (Concl'd.)	108	197—13	108 1/2, 10/2, 9/2, 11/2, 12/1, 19/1/2, 19/2/2, 20/1, 21/1/2, 21/2/2, 22/1/1, 22/2/1 113 1/2, 2/1, 9/2, 10/1, 11/2, 12/1/1, 12/2/1, 19/2/2, 20/1, 21/2, 22/1, 128 1/2 Rasta Drain & Road Rasta Min 624, Min 643, Min 646, Min 641, Min 645, Min 637 Road Min 159 Drain Min 239, Min 254, Min 253 The above noted Killa/Khasra numbers are partly notified thus Killa/Khasra numbers may be considered as Min. The Railway line generally lying from North to South as shown in the plan.

(Sd.)...

Dy. Chief Engineer/Const.
Northern Railway, Tilak Bridge, New Delhi.